

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

M.R., S.J., C.B., D.W., A.B., M.B., An.B, J.B.,
K.S., T.M., A.R., M.J.B., J.H., H.C., THE ARC
OF WASHINGTON, SERVICE EMPLOYEES
INTERNATIONAL UNION HEALTHCARE
775NW and PUGET SOUND ALLIANCE
FOR RETIRED AMERICANS,

Plaintiffs,

v.

SUSAN DREYFUS, in her professional
capacity as Secretary of Washington State
Department of Social and Health Services and
WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES, a
Department of the State of Washington,

Defendants.

No. 2:10-cv-02052-TSZ

STIPULATED MOTION AND ORDER
WITHDRAWING MOTIONS AND
EXTENDING CASE SCHEDULE FOR 40
DAYS

Plaintiffs and Defendants hereby jointly request that the Court approve the parties' request to withdraw the currently pending cross-motions for partial summary judgment (Dkts. 269, 275) and extend the case schedule for 40 days, to permit the parties to engage in settlement discussions aimed at resolving the case.

Defendants initially filed a motion for partial summary judgment on due process on May 23, 2013 and noted that motion for June 14, 2013. Dkt. 269. The Court subsequently renoted that motion, based on the parties' joint request, for July 19, 2013. Dkt. 274. Plaintiffs subsequently filed a cross-motion for partial summary judgment on due process and noted that

STIPULATED MOTION AND ORDER TO WITHDRAW MOTIONS
AND EXTEND CASE SCHEDULE (2:10-cv-02052-TSZ) - 1

No. 2:10-cv-02052-TSZ

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1 cross-motion for July 19, 2013. Dkt. 275. The cross-motions are fully briefed except for
 2 Plaintiffs' reply in support of their cross-motion.

3 Plaintiffs and Defendants have made initial disclosures, propounded discovery requests,
 4 produced documents in response to discovery requests, and met and conferred regarding
 5 discovery issues in anticipation of upcoming motions deadlines. August 29, 2013 is the current
 6 deadline for filing dispositive motions as to which aggregate data is not required, and
 7 December 5, 2013 is the current deadline for any and all other dispositive motions. Dkt. 274.

8 The parties intend to engage in settlement discussions aimed at resolution of this case
 9 and agree that staying all parties' discovery and motions obligations would be helpful in
 10 facilitating those discussions. The parties also agree that 40 days are needed in order to
 11 determine whether settlement can be reached. The parties therefore jointly propose the
 12 following:

- 13 • Defendants' motion for partial summary judgment on due process (Dkt. 269) and
 14 Plaintiffs' cross-motion for partial summary judgment on due process (Dkt. 275) are
 15 hereby withdrawn;
- 16 • The August 29, 2013 and December 5, 2013 deadlines shall be postponed by 40
 17 days to October 8, 2013 and January 14, 2014;
- 18 • The parties' discovery obligations shall be stayed for the next 40 days;
- 19 • The parties shall file a joint status report no later than August 30, 2013 informing
 20 the Court of the status of settlement discussions;
- 21 • If the parties report that they have not resolved the case, Defendants' motion (Dkt.
 22 269), Plaintiffs' cross-motion (Dkt. 275), Defendant's Reply and Cross Response
 23 (Dkt. 278) shall be re-instated and renoted for September 6, 2013, with Plaintiffs'
 24 reply in support of cross-motion due at that time.

25 Respectfully and jointly submitted and stipulated to this 18th day of July, 2013.
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 27

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ALTSHULER BERZON LLP

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Attorneys for Plaintiffs

By: /s/ Stacey Leyton
Stacey Leyton, CABA #203827
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Attorneys for Defendant

DATED this 18th day of July, 2013.

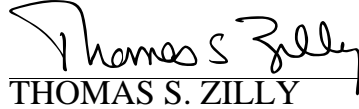
ORDER

The parties' stipulated motion, docket no. 281, is GRANTED, and the Court now orders the following:

- Defendants' motion for partial summary judgment on due process (Dkt. 269) and Plaintiffs' cross-motion for partial summary judgment on due process (Dkt. 275) are withdrawn;
- The August 29, 2013 and December 5, 2013 deadlines for dispositive motions are postponed by 40 days to October 8, 2013 and January 14, 2014, respectively;
- The parties' discovery obligations are stayed for the next 40 days;
- The parties shall file a joint status report no later than August 30, 2013, informing the Court of the status of settlement discussions;

- If the parties report that they have not resolved the case, Defendants' motion (Dkt. 269) and Plaintiffs' cross-motion (Dkt. 275) shall be reinstated and noted for September 6, 2013, with Plaintiffs' reply in support of cross-motion due at that time.

DATED this 22nd day of July, 2013.


THOMAS S. ZILLY
United States District Judge

PRESENTED BY:

MacDONALD HOAGUE & BAYLESS

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Attorneys for Plaintiff

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